

REMARKS

Claims 6-21 are now in this application. Claims 6-15 are rejected. Claims 1-5 are withdrawn from consideration. Claims 1-5 are cancelled herein. Claims 6, 7, 9 and 11-15 are amended herein to clarify the invention, to broaden language as deemed appropriate and to address matters of form unrelated to substantive patentability issues. New claims 16-21 are added.

Applicants herein traverse and respectfully request reconsideration of the rejection of the claims cited in the above-referenced Office Action.

Claims 6-15 are rejected as indefinite under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter of the invention as a result of informalities stated in the Office Action. The claims are amended to remove or correct the informalities noted in the Office Action. Therefore, reconsideration of the rejection of claims 6-15 and their allowance are earnestly requested.

Claims 6-10 are rejected as obvious over Oh (US 5,616,078) in view of Ishikawa et al. (US 6,549,641) under 35 U.S.C. §103(a). The applicants herein respectfully traverse this rejection. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

It is respectfully submitted that a *prima facie* case of obviousness could not be established in rejection of amended claims 6-10. "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on the applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)." MPEP §706.02(j) "Contents of a 35 U.S.C. §103 Rejection".

① Independent claim 6 recites that three-dimensional images from a viewpoint of a virtual camera created and displayed on a monitor screen by image control means include an opponent character displayed as facing the game player when the game player is positioned in a play space in front of the monitor screen. It is respectfully submitted that neither of the cited Oh or Ishikawa et al. references teach or suggest such claimed feature.

Differing from the claimed invention, the Oh reference discloses a game which allows a game player to perform a simulation match with the opponent character shown in the scene on the monitor screen 41, in which a player character

representing the game player is also included in the scene on the monitor screen 41. Accordingly, the game player Q can objectively (in the third person) see the match on the monitor screen, although he is the one performing the match in front of the screen 41, as reflected by the player character on the screen. In contrast, according to amended claim 6, the game player can enjoy a realistic match with the opponent character who is actually facing the game player (i.e., experiencing game play in the first person).

(2) Applicants submit that Ishikawa et al. fails to adequately supplement the teachings of Oh. While Ishikawa et al. discloses a device that allows a change of a viewing point in accordance with the movement of the head position of the game player, if combined with the Oh reference, the opponent character would still face a player character displayed on the screen merely representative of the actions of the game player, and not the game player him or her self.

Thus, the combination of prior art references fails to teach or suggest all the claim limitations as properly required for establishing a *prima facie* case of obviousness. Therefore, reconsideration of the rejections of claims 6-10 and their allowance are respectfully requested.

Claims 11 and 12 are rejected as obvious over Oh (US 5,616,078) in view of Ishikawa et al. (US 6,549,641), and further in view of Masanobu (JP 2000-033184) under 35 U.S.C. §103(a). The applicants herein respectfully traverse this rejection.

It is respectfully submitted that the Masanobu reference cannot render the rejected claims obvious because the reference does not provide the teaching noted above with respect to the obviousness rejection of claim 6, from which the claims depend, that is absent from both Oh and Ishikawa et al.. Thus, the combination of references fails to teach or suggest all the claim limitations. Therefore, reconsideration of the rejection of claims 11 and 12 and their allowance are respectfully requested.

Claims 13-15 are rejected as obvious over Oh (US 5,616,078) in view of Ishikawa et al. (US 6,549,641), and further in view of Sakakawa (JP 09-173645) under 35 U.S.C. §103(a). The applicants herein respectfully traverse this rejection.

It is respectfully submitted that the Sakakawa reference, which is offered for allegedly teaching a hitting mark displayed in a hitting area, cannot render the rejected claims obvious because the reference does not provide the teaching noted above with respect to the obviousness rejection of claim 6, from which the claims depend, that is absent from both Oh and Ishikawa et al.. Thus, the combination of references fails to teach or suggest all the claim limitations. Therefore, reconsideration of the rejection of claims 13-15 and their allowance are respectfully requested.

Claims 16-21 are added and are submitted as patentable over the cited art of record. Independent claim 20 recites subject matter in accordance with which a viewpoint of a virtual camera approximates a view seen by the game player, and

interaction between the opponent character and the game player is based upon a relationship between the opponent character and the viewpoint position of the virtual camera, which, among other features recited therein, is not believed disclosed in the cited art in the manner as claimed. Independent claim 21 recites subject matter in accordance with which a viewpoint of a virtual camera essentially matches a view seen by the game player, and a hitting area at at least one location on a body of an opponent character on the monitor screen and a defensive region that overlaps with hands of the opponent character as seen from said virtual camera viewpoint are respectively set, a hitting mark being displayed on the hitting area when the defensive region is outside the hitting area, which, among other features recited therein, is not believed disclosed in the cited art in the manner as claimed. Dependent claims 16-19 are patentable based on the subject matter cited therein, in addition to the subject matter of claim 6 from which they depend.

Applicants respectfully request a one (1) month extension of time for responding to the Office Action. Please charge the fee of \$110 for the extension of time to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,
JORDAN AND HAMBURG LLP

By Frank J. Jordan by :
Frank J. Jordan
Reg. No. 20,456
Attorney for Applicants

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340

Jimmy S. DeLo
Reg No. 36,049